

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ROBERT CSECH,

Plaintiff,

v.

SHANNON MOYLE et al.,

Defendants.

Case No. 3:15-cv-00615-MMD-VPC

ORDER

This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by a state prisoner. On September 8, 2016, the Court issued an order dismissing the third amended complaint with leave to amend and directed Plaintiff to file a fourth amended complaint within thirty (30) days. (ECF No. 8 at 6.) The thirty-day period has now expired, and Plaintiff has not filed a fourth amended complaint.

Instead, Plaintiff has filed three miscellaneous motions. In his motion for relief for judicial negligence, Plaintiff argues that he had signed a contract and that defendants had approved his contract. (ECF No. 9.) In his motion for hearing, Plaintiff seeks a hearing on his motion for relief. (ECF No. 10.) To the extent that these motions are motions for reconsideration, the Court denies the motions because Plaintiff has not presented newly discovered evidence, demonstrated that the Court had committed clear error, or established an intervening change in controlling law. *See Sch. Dist. No. 1J v. Acands, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993) (explaining when reconsideration is appropriate).

In his motion to notify the Court, Plaintiff argues that it would be illegal for him to file a fourth amended complaint because of Nevada's two-year statute of limitations and

1 U.S. Supreme Court law. (ECF No. 11 at 2.) The Court denies this motion. The Court
2 previously directed Plaintiff to file a fourth amended complaint or face dismissal. The
3 Court grants Plaintiff one final opportunity to amend his complaint. If Plaintiff fails to file a
4 fourth amended complaint, the Court will dismiss this case with prejudice for failure to
5 comply with this Court's order.

6 For the foregoing reasons, it is ordered that the motion for relief (ECF No. 9) is
7 denied.


8 It is further ordered that the motion for hearing (ECF No. 10) is denied.

9 It is further ordered that the motion to notify Court (ECF No. 11) is denied.

10 It is further ordered that, if Plaintiff chooses to file a fourth amended complaint
11 curing the deficiencies of his third amended complaint, as outlined in the screening order
12 (ECF No. 8), Plaintiff must file the fourth amended complaint on or before Friday,
13 November 4, 2016. No further extensions will be granted.

14 It is further ordered that, if Plaintiff fails to file a fourth amended complaint, this
15 action will be dismissed with prejudice.

16 DATED THIS 27th day of October 2016.

17
18 
19 _____
20 MIRANDA M. DU
21 UNITED STATES DISTRICT JUDGE
22
23
24
25
26
27
28